

NAGACO.0018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Phan, et al.
Appl. No. : 09/997,741
Filed : November 27, 2001
For : DUAL BEAD ASSAYS INCLUDING OPTICAL BIODISCS
AND METHODS RELATING THERETO
Examiner : Frank Lu
Group Art Unit : 1634

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Nagaoka & Co., LTD., a Japanese Corporation, states that it is an assignee of one half of the entire right, title and interest in the above-referenced patent application by virtue of a chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. All right, title, and interest was assigned from the inventors, Brigitte C. Phan, Jorma A. Virtanen, Amethyst H. Lam, Shih-Li Lo, and James H. Coombs, to Burstein Technologies, Inc. A copy of the assignment is attached.
2. An undivided one half of the entire right, title, and interest was assigned from Burstein Technologies, Inc. to Nagaoka & Co., LTD. The document was recorded in the United States Patent and Trademark Office at Reel 014192, Frame 0310.

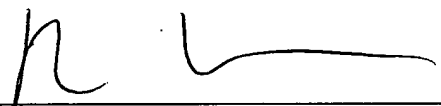
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The undersigned, whose title is supplied below, is authorized to act on behalf of the assignee. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

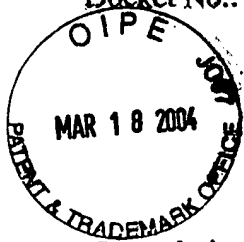
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/16/04

By: 
Russell M. Jeide
Registration No. 54,198
Attorney of Record
Customer No. 20,995
(619) 235-8550

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**POWER OF ATTORNEY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. As defined by 37 C.F.R. § 3.71(b)(2), said partial Assignee is of record and obtains less than the entire right, title and interest in the application or patent referred to in the attached Statement Under 37 C.F.R. § 3.73(b).

By this paper, the Assignee is revoking any previous powers of attorney granted by the Assignee and granting power of attorney to Knobbe, Martens, Olson & Bear, LLP for the purposes of continued prosecution of an application or patent co-owned by an individual or company under the representation of Knobbe, Martens, Olson & Bear, LLP. This paper does not serve as an agreement or acknowledgement of legal representation by Knobbe, Martens, Olson & Bear, LLP. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application owned by the Assignee named below.

By: 

Date: 

Name: Richard Burstein

Title: CEO

Assignee: BURSTEIN TECHNOLOGIES, INC.
163 West Technology Dr., Ste. 200
Irvine, California 92618

POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. The Assignee hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, Customer No. 20,995, as attorneys and agents to represent the Assignee before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned in whole or in part to the Assignee according to the USPTO assignment records or assignment documents supplied with an accompanying Statement Under 37 CFR 3.73(b). This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application partially owned by the Assignee named below.

Please change the correspondence address for the above-identified application to Customer No. 20995.

By: H. Kitamura

Date: March 2nd, 2004

Name: HIDEO KITAMURA

Title: EXECUTIVE MANAGING DIRECTOR

Assignee: NAGAOKA & CO., LTD.
7-18, Nishinomiyahama 4-Chome, Nishinomiya-Shi, Hyogo,
Japan 662-0934



USSN: 09/997,741
Attorney Docket No: BT12 00102701(USP3)US

PATENT

ASSIGNMENT OF APPLICATION AND PATENT

WHEREAS, we, Brigitte C. Phan residing at 15910 Meagher, Fountain Valley, CA 92708, Jorma A. Virtanen residing at 19211 Edgehill, Irvine, CA 92612, Amethyst H. Lam residing at 5 Middleton, Irvine, CA 92620, Shih-Li Lo residing at 501 N. Commonwealth Ave. #31, Fullerton, CA 92831, and James H. Coombs residing at 175 San Leon Villa, Irvine, CA 92606, have invented certain new and useful DUAL BEAD ASSAYS INCLUDING OPTICAL BIODISCS AND METHODS RELATING THERETO, for which we have made application for Letters Patent of the United States as fully set forth and described in the specification filed in the United States Patent and Trademark Office on November 27, 2001 and assigned Serial No. 09/997,741;

WHEREAS, Burstein Technologies, Inc., a Corporation duly organized and existing under and by virtue of the laws of the State of Delaware, and having a place of business at 163 Technology Drive, Suite 200, Irvine, California 92618, is desirous of acquiring the entire interest in and to said invention and the Letters Patent to be had therefore;

NOW THEREFORE, to all whom it may concern, be it known, that for good and valuable consideration, to us in hand paid, the receipt of which is hereby acknowledged, we, said Brigitte C. Phan, Jorma A. Virtanen, Amethyst H. Lam, Shih-Li Lo, and James H. Coombs, have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over unto said Burstein Technologies, Inc., the whole right, title, and interest in and to said DUAL BEAD ASSAYS INCLUDING OPTICAL BIODISCS AND METHODS RELATING THERETO and any and all improvements disclosed in the aforesaid application for patent, as fully set forth and described therein, and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent derived from the aforesaid application which have been or shall be filed in the United States and in and to the United States Letters Patent to be issued thereon for the territory of the United States, and all corresponding foreign counterpart applications derived from the aforesaid United States patent application and related applications as prepared for and filed in any and all foreign countries, said whole right, title, and interest in and to said DUAL BEAD ASSAYS INCLUDING OPTICAL BIODISCS AND METHODS RELATING THERETO being the same for said Burstein Technologies, Inc.'s own use and for the use of its assigns, successors, and legal representatives to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

And we, for ourselves, our heirs, assigns, and legal representatives hereby covenant to and with said assignee Burstein Technologies, Inc., its assigns, successors, and legal representatives, that we have full right to sell and assign the whole right, title, and interest

in and to said invention and the Letters Patent to be had therefor and that the entire interest herein conveyed is free from all prior assignment, grant, mortgage, license, or other encumbrance whatsoever. And we also, for ourselves, our heirs, assigns, and legal representatives hereby further covenant to and with said assignee Burstein Technologies, Inc., its assigns, successors, and legal representatives to fully cooperate therewith in the prosecution of the aforesaid application in the United States Patent and Trademark Office and in any and all foreign jurisdictions, said cooperation extending to any U.S. or foreign divisional, continuing, substitute, renewal, reissue or any other application derived from the aforesaid application, and including the execution of additional declarations, assignments, and other formal documents as may be required in connection therewith.

And we do hereby authorize and request the United States Commissioner of Patents to issue Letters Patent to said Burstein Technologies, Inc, as the assignee of our entire right and title therein.

In Testimony Whereof, we have hereunto set our hand and seal on the day and month of 2002 as indicated below.

Brigitte C Phan L.S.
Brigitte C. Phan

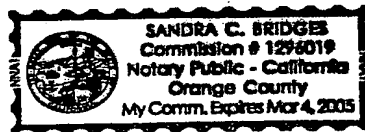
Date: 2/7/02

Acknowledgment

State of California)
County of Orange) ss

On this 7th day of February, 2002, before me, Sandra C. Bridges, Notary Public, personally appeared Brigitte C. Phan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Signature of Notary Public

J. Virtanen L.S. Date: 7/18/03
Jorma A. Virtanen

Acknowledgment

State of _____
County of _____ } ss

Witnessed: Jacquelyn Campbell
Jacquelyn Campbell

On this _____ day of _____, 20____, before me, Sandra C. Bridges, Notary Public, personally appeared Jorma A. Virtanen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Signature of Notary Public

Amethyst H. Lam L.S. Date: 02/08/02
Amethyst H. Lam

Acknowledgment

State of California
County of Orange } ss

On this 8th day of February, 2002, before me, Sandra C. Bridges, Notary Public, personally appeared Amethyst H. Lam, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Signature of Notary Public

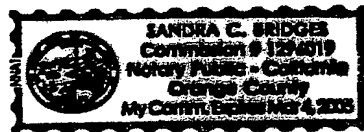
Shih-Li Lo L.S. Date: Feb 08, 02

Acknowledgment

State of California }
County of Orange } ss

On this 8th day of February, 20 02, before me, Sandra C. Bridges, Notary Public, personally appeared Shih-Li Lo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Signature of Notary Public

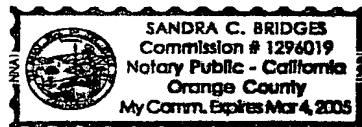
J. Coombs L.S. Date: 8 February 2002
James H. Coombs

Acknowledgment

State of California }
County of Orange } ss

On this 8th day of February, 20 02, before me, Sandra C. Bridges, Notary Public, personally appeared James H. Coombs, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Signature of Notary Public

